

# **VILLAGE OF ANTIOCH**

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**Ordinance No. 10-04-13**

***AN ORDINANCE AMENDING TITLE 10 CHAPTER 7 ARTICLE A SECTION 1 AND 4  
OF THE VILLAGE CODE REGARDING PERMITTED USES***

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**ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES**

**OF THE**

**VILLAGE OF ANTIOCH, ILLINOIS**

**ON**

**APRIL 19, 2010**

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**Published in pamphlet form by authority of the Village Board  
of the Village of Antioch, Lake County, Illinois,  
this 21<sup>st</sup> day of April, 2010**

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LAWRENCE M. HANSON	President	DENNIS B. CROSBY	Trustee
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**ORDINANCE NO. 10-04-13**

**AN ORDINANCE AMENDING TITLE 10 CHAPTER 7 ARTICLE A SECTION 1 AND 4 OF  
THE VILLAGE CODE REGARDING PERMITTED USES**

**WHEREAS**, the Village of Antioch is a Non-Home Rule Illinois Municipal Corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1 et seq.; and

**WHEREAS**, pursuant to Chapter 14 of Title 10 of the Antioch Village Code, a public hearing was commenced and adjourned by the Combined Planning Commission and Zoning Board on April 08<sup>th</sup>, 2010 after due notice by newspaper publication, pursuant to the application of Dustin Nilsen, on Behalf of the Village of Antioch ("Petitioner") to amend Title 10 of the Village Zoning Code; and

**WHEREAS**, the Combined Planning Commission and Zoning Board, following adjournment of the public hearing and consideration of all the evidence presented by the Applicant, staff and public, voted to recommend approval of a text amendment of Chapter 7 of Title 10 relating to Permitted Uses (the "Amendment"); and

**WHEREAS**, In the development and execution of the entire Zoning Ordinance of the Village, it is recognized that there are some uses which, because of their very nature, are recognized as having objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas, particularly adjacent and nearby residential and commercial areas where nurseries, schools, nursing homes, churches, and similar uses are located.

**WHEREAS**, In the proper and realistic zoning and special regulations of these uses are necessary to insure that these adverse effects will not contribute to the blighting, down-grading of the surrounding neighborhood, or discouraging normal development of undeveloped areas.

**WHEREAS**, Special regulations are itemized in the Title as to provide a consistent and rational separation basis in order to afford all users a right to develop such uses without injurious results to the balance of the community or neighboring property owners. And such regulations acting as the primary control in the prevention of the concentration of these uses in any one area.

**WHEREAS**, the Corporate Authorities have concluded and found that the Amendment, subject to and in conformance with the terms and conditions of this Ordinance, is necessary or desirable to permit services or facilities which are in the interest of public convenience, will contribute to the general welfare of the neighborhood or community, and will not, under the circumstances permitted by this Ordinance, be detrimental to the health, safety, morals or general welfare of persons

residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and

**WHEREAS**, the Corporate Authorities accept the findings of the Planning and Zoning Board and found that the Amendment will enhance and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

**SECTION I:** The foregoing recitals represent the purpose and intent of this ordinance and insofar as each recital does it is incorporated by reference as a substantive provision as though fully set forth herein and

**SECTION II:** That Section 10-7A-1 of Title 10 of the Antioch Village Code be and is hereby amended and shall hereafter provide as follows with underline (insert) denoting inserted language and ~~delete~~ denoting deleted language:

## **CHAPTER 7**

### **Manufacturing Zone District**

#### **10-7A-1. Permitted Uses.**

Adult Uses as defined in Title 4 of the Code and subject to performance standards listed within

**SECTION III:** That Section 10-7A-4 of Title 10 of the Antioch Village Code be and is hereby amended and shall hereafter provide as follows with underline (insert) denoting inserted language and ~~delete~~ denoting deleted language:

(G) All storage, except of motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened in compliance with the standards contained with the Supplemental Regulations of 10-3-X..

(H) All adult uses, such as Adult book stores, Adult entertainment cabaret, Adult mini motion picture theaters, and Adult motion picture theaters, shall be subject to the following restrictions:

(1) No adult use shall be allowed within 600 feet of another existing adult use.

(2) No adult use shall be located within 600 feet of any zoning district which is zoned for a residential use.

(3) No adult use shall be located within 6000 feet of a preexisting school or place of worship.

**SECTION IV:** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

**SECTION V:** If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

**SECTION VI:** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

**APPROVED on this 19<sup>th</sup> day of April, 2010**

AYES: 5: Poulos, Sakas, Crosby, Wolczyk and Jozwiak.


NAYS: 0.

ABSENT: 1: Pierce.

  
LAWRENCE M. HANSON, President

ATTEST:

By:

  
CANDI L. ROWE, Village Clerk



STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

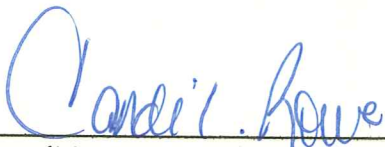
### CERTIFICATE

I, Candi L. Rowe, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on April 19, 2010, the Corporate Authorities of such municipality passed and approved **Ordinance No. 10-04-13**, entitled "**AN ORDINANCE AMENDING TITLE 10 CHAPTER 7 ARTICLE A SECTION 1 AND 4 OF THE VILLAGE CODE REGARDING PERMITTED USES**" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 10-04-13**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 21, 2010, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 21<sup>st</sup> day of April, 2010.

  
Candi L. Rowe, Village Clerk

